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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,966	11/29/2000	Sangeetha Narasimhan	10003088-1	1711

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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PARK, CHAN S

ART UNIT	PAPER NUMBER
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2625

MAIL DATE	DELIVERY MODE
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06/13/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/726,966	<b>Applicant(s)</b> NARASIMHAN, SANGEETHA	
	<b>Examiner</b> CHAN S. PARK	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- Chan S. Park*
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's Appeal Brief was received on 9/1/05, and has been entered and made of record. Currently, **claims 1-5 and 7-11** are pending.

### ***Response to Arguments***

2. In view of the appeal brief filed on 3/15/05, PROSECUTION IS HEREBY REOPENED.

New grounds of rejections are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 7, 8 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Allen et al. U.S. Patent No. 6,291,829 (hereinafter Allen).

The applied reference has a common assignee with the instant application.

Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

3. With respect to claim 1, Allen teaches a method for selecting a print job parameter including the steps of:

a printer controller ascertaining an operator-selected toner density setting (col. 3, lines 22-34; col. 4, lines 36-40; & col. 8, lines 12-23); and

the printer controller automatically selecting a print media source based upon the operator-selected toner density setting (col. 3, lines 22-34; col. 4, lines 36-40; & col. 8, lines 12-23).

4. With respect to claim 2, Allen teaches the method of claim 1 wherein:

the step of a printer controller ascertaining an operator-selected toner density setting comprises the printer controller ascertaining an operator-selected draft toner density setting (col. 3, lines 22-34; col. 4, lines 36-40; & col. 8, lines 12-23); and

the step of the printer controller automatically selecting a print media source based upon the operator-selected toner density setting comprises the printer controller automatically selecting a draft media source (a designated media type selected/used in the draft mode) based upon the operator-selected draft toner density setting (col. 3, lines 22-34; col. 4, lines 36-40; & col. 8, lines 12-23).

5. With respect to claim 3, Allen teaches the method of claim 1 wherein:

the step of a printer controller ascertaining an operator-selected toner density setting comprises the printer controller ascertaining an operator-selected standard toner density setting (col. 3, lines 22-34; col. 4, lines 36-40; & col. 8, lines 12-23); and

the step of the printer controller automatically selecting a print media source based upon the operator-selected standard density setting comprises the printer controller automatically selecting a draft media source (a designated media type selected/used in the standard mode) based upon the operator-selected standard toner density setting (col. 3, lines 22-34; col. 4, lines 36-40; & col. 8, lines 12-23).

6. With respect to claim 7, Allen discloses a printer controller configured to:

automatically recognize a selection of one of a plurality of a plurality of settings for a first print job parameter (col. 3, lines 22-34; col. 4, lines 36-40; & col. 8, lines 12-23); and

in response to recognizing the selection of the first print job parameter setting, automatically select one of a plurality of settings for a second print job parameter (col. 3, lines 22-34; col. 4, lines 36-40; & col. 8, lines 12-23).

7. With respect to claim 8, Allen discloses the printer controller of claim 7, wherein the first print job parameter comprises toner density setting and the second print job parameter comprises a source of print media (col. 3, lines 22-34; col. 4, lines 36-40; & col. 8, lines 12-23).

8. With respect to claim 10, Allen discloses the printer controller of claim 8, wherein the printer controller is configured to:

automatically recognize a selection of a draft toner density setting (col. 3, lines 22-34; col. 4, lines 36-40; & col. 8, lines 12-23); and

in response to recognizing the selection of a draft toner density setting, automatically select a source of draft print media (a designated media type selected/used in the draft mode according to col. 3, lines 22-34; col. 4, lines 36-40; & col. 8, lines 12-23).

Claims 4, 7 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoo et al. U.S. Patent No. 5,809,367 (hereinafter Yoo).

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9. With respect to claim 4, Yoo teaches a method for selecting a print job parameter including the steps of:

a printer controller ascertaining an operator-selected print media source setting (col. 5, lines 45-54 & S74 in fig. 4); and

the printer controller automatically selecting a toner density setting based upon the operator-selected print media source setting (col. 4, lines 34-54 & col. 6, lines 41-46).

10. With respect to claim 7, Yoo discloses a printer controller configured to:

automatically recognize a selection of one of a plurality of a plurality of settings for a first print job parameter (col. 5, lines 45-54 & S74 in fig. 4); and

in response to recognizing the selection of the first print job parameter setting, automatically select one of a plurality of settings for a second print job parameter (col. 4, lines 34-54 & col. 6, lines 41-46).

11. With respect to claim 9, Yoo discloses the printer controller of claim 7, wherein the first print job parameter comprises a source of a print media (col. 5, lines 45-54 & S74 in fig. 4) and the second print job parameter comprises toner density (col. 4, lines 34-54 & col. 6, lines 41-46).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoo as applied to claim 4 above, and further in view of Noyes et al. U.S. Patent No. 6,364,452 (hereafter Noyes).

12. With respect to claim 5, Yoo teaches the method of claim 4, but it does not explicitly teach whether the operator-selected print media setting is a draft print media and the toner density setting based on the print media source is a draft toner density setting.

Noyes, the same field of endeavor of matching the toner density setting with a proper paper type, teaches that a plain paper (draft paper) is to be used in a draft mode (fig. 44 & col. 57, lines 22-25).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to implement the method of using draft paper (plain paper) in a draft mode into the printing method of Yoo.

The suggestion/motivation for doing so would have been to implement the automatic toner density setting method in a draft print media source setting to provide the best print quality for the draft paper.

Therefore, it would have been obvious to combine Yoo with Noyes to obtain the invention as specified in claim 5.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoo as applied to claim 9 above, and further in view of Noyes.



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13. With respect to claim 11, Yoo discloses the printer controller of claim 9, but it does not explicitly teach whether the operator-selected print media setting is a draft print media and the toner density setting based on the print media source is a draft toner density setting.

Noyes, the same field of endeavor of matching the toner density setting with a proper paper type, teaches that a plain paper (draft paper) is to be used in a draft mode (fig. 44 & col. 57, lines 22-25).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to implement the method of using draft paper (plain paper) in a draft mode into the printing method of Yoo.

The suggestion/motivation for doing so would have been to implement the automatic toner density setting method in a draft print media source setting to provide the best print quality for the draft paper.

Therefore, it would have been obvious to combine Yoo with Noyes to obtain the invention as specified in claim 11.

### ***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 6,343,846 to Asano teaches a method for controlling the ink density parameter based on the selected sheet type (fig. 7).

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**Contact Information**

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S. PARK whose telephone number is (571) 272-7409. The examiner can normally be reached on M-F 8am-4:30pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

csp  
June 11, 2007

Chan S. Park  
Examiner  
Art Unit 2625

*Chan S. Park*

  
KING Y. POON  
PRIMARY EXAMINER